

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

KENYON DUNCAN,)	
)	CIVIL ACTION FILE NO.:
Plaintiff,)	
)	
v.)	
)	[Removed from
)	The State Court of
WALMART STORES EAST LP,)	Dekalb County;
KEYUR PATEL, JAMES PROVOST,)	Civil Action File No.
ANTHONY ROSS, DOE 2, DOE 3)	22A03589]
and DOE 4)	
)	
)	
)	
)	
Defendants.)	

**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE
DISCLOSURE STATEMENT**

Defendants, by and through counsel, and pursuant to Fed. R. Civ. P. 7.1 and
Local Rule 3.3 hereby disclose the following:

**(1) The undersigned counsel of record for a party or proposed
intervenor to this action certifies that the following is a full and complete list
of all parties, including proposed intervenors, in this action, including any
parent-corporation and any publicly held corporation that owns 10% or more
of the stock of a party or proposed intervenor:**

Defendant Wal-Mart Stores East, LP is a Delaware limited partnership, of which WSE Management, LLC is the sole general partner and WSE Investment, LLC is the sole limited partner. Both WSE Management, LLC and WSE Investment, LLC are Delaware limited liability companies with principal places of business in Arkansas. The sole member of both WSE Management, LLC and WSE Investment, LLC is Wal-Mart Stores East, LLC. Wal-Mart Stores East, LLC is an Arkansas limited liability company with its principal place of business in Arkansas. The sole member of Wal-Mart Stores East, LLC is Walmart Inc. Walmart Inc. is a Delaware corporation with its principal place of business in Bentonville, Arkansas. Neither Wal-Mart Stores East, LP nor any of its partners were citizens of the State of Georgia at the time of, or immediately prior to, the filing and service of this lawsuit, or at any time thereafter. Walmart, Inc. was not a citizen of the State of Georgia at the time of, or immediately prior to, the filing and service of this lawsuit, or at any time thereafter.

Keyur Patel is a resident of Georgia (who has been fraudulently joined).
James Provost is a resident of Georgia (who has been fraudulently joined).
Anthony Ross is a resident of Georgia (who has not been served).

(2) The undersigned further certifies that the following is a full and complete list of all other person, associations, firms, partnership, or

corporations having either a financial interest which could be substantially affected by the outcome of this case:

Michael P. Walker of The Law Office of Piasta Newbern Walker, LLC,
National Union Fire Insurance Company of Pittsburgh, PA.

(3) The undersigned further certifies that the following is a full and complete list of all persons serving as attorneys for the parties, including proposed intervenors, in this case:

Michael P. Walker of The Law Office of Piasta Newbern Walker, LLC
Travis J. Meyer and Jack A. Parker of the law firm Waldon Adelman
Castilla Hiestand & Prout, LLP.

(4) [For every action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a).] The undersigned further certifies that the following is a full and complete list citizenship* of every individual or entity whose citizenship is attributed to a party or proposed intervenor or whose behalf this certificate is filed:

Defendant Wal-Mart Stores East, LP is a Delaware limited partnership, of which WSE Management, LLC is the sole general partner and WSE Investment, LLC is the sole limited partner. Both WSE Management, LLC and WSE Investment, LLC are Delaware limited liability companies with principal places of business in Arkansas. The sole member of both WSE Management, LLC and

WSE Investment, LLC is Wal-Mart Stores East, LLC. Wal-Mart Stores East, LLC is an Arkansas limited liability company with its principal place of business in Arkansas. The sole member of Wal-Mart Stores East, LLC is Walmart Inc. Walmart Inc. is a Delaware corporation with its principal place of business in Bentonville, Arkansas. Neither Wal-Mart Stores East, LP nor any of its partners were citizens of the State of Georgia at the time of, or immediately prior to, the filing and service of this lawsuit, or at any time thereafter. Walmart, Inc. was not a citizen of the State of Georgia at the time of, or immediately prior to, the filing and service of this lawsuit, or at any time thereafter.

Keyur Patel is a resident of Georgia (who has been fraudulently joined).

James Provost is a resident of Georgia (who has been fraudulently joined).

Anthony Ross is a resident of Georgia (who has not been served).

*Allegations of an individual's residence do not enable the Court to determine an individual's citizenship. *Travaglio v. Am. Express Co.* 735 F.3d 1266, 1269 (11th Cir. 2013). For purpose of diversity jurisdiction, citizenship is equivalent to domicile, which is a party's "true, fixed, and permanent home and principal establishment, and to which he has the intention of returning whenever he is absent therefrom." *McCormick v. Aderholt*, 293 F.3d 1254, 1257-58 (11th Cir. 2002) (quoting *Mas v. Perry*, 489 F.2d 1396, 1399 (5th Cir. 1974)).

"[A] limited partnership is a citizen of each state in which ant of its partners, limited, or general, are citizens." *Rolling Greens MHP, L.P. v. Comcast SCH Holdings, L.L.C.*, 374 F.3d 1020, 1021 (11th Cir. 2004) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-196 (1990)).

A limited liability company, like other unincorporated entities, "is a citizen of any state of which a member of the company is a citizen." *Rolling Greens MHP*, 374 F.3d at 1022.

A traditional trust is a citizen of the state of which is trustee is a citizen, not its beneficiaries. *Alliant Tax Credit 31, Inc. v. Murphy*, 924 F.3d 1134, 1143 (11th Cir. 2019)

This 24th day of February, 2023.

WALDON ADELMAN CASTILLA
HIESTAND & PROUT



TRAVIS J. MEYER

Georgia Bar No. 309781

JACK A. PARKER

Georgia Bar No. 507276

*Attorneys for Defendant Wal-Mart
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CERTIFICATE OF COMPLIANCE

The undersigned hereby certify that the foregoing pleading complies with the font and point selections approved by the Court and Local Rule 5.1B. The foregoing pleading has been prepared in 14 point Times New Roman font.

This 24th day of February, 2023.

WALDON ADELMAN CASTILLA
HIESTAND & PROUT



TRAVIS J. MEYER

Georgia Bar No. 309781

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Georgia Bar No. 507276

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Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that, on this the 24th day of February, 2023, I electronically filed the foregoing *Certificate Of Interested Persons And Corporate Disclosure Statement* with the Clerk of this Court using the CM/ECF system which will automatically provide notice of such filing via electronic mail to the following attorney(s) of record:

Michael P. Walker, Esq.
Piasta Newbern Walker, LLC
3301 Windy Ridge Parkway
Suite 110
Atlanta, GA 30339
mike@pnwlaw.com

This 24th day of February, 2023.

WALDON ADELMAN CASTILLA
HIESTAND & PROUT



TRAVIS J. MEYER
Georgia Bar No. 309781
JACK A. PARKER
Georgia Bar No. 507276

*Attorneys for Defendant Wal-Mart
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